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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,405	12/08/2003	John Iler	SDV-001C	2481

23446 7590 04/19/2007  
MCANDREWS HELD & MALLOY, LTD  
500 WEST MADISON STREET  
SUITE 3400  
CHICAGO, IL 60661

EXAMINER
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WONG, ALLEN C

ART UNIT	PAPER NUMBER
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2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/730,405

Applicant(s)

ILER, JOHN

Examiner

Allen Wong

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/8/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-12 are rejected under 35 U.S.C. 101 because the language of the preamble of the claims 1 and 7 do not specify the functional descriptive language and do not specify the requisite functionality to meet the practical application requirement. In other words, the intent or purpose of "processing" data needs to produce a final, tangible useful result or functional descriptive material (ie. encoding/decoding video data for display).

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoshimura (7,061,936).

Regarding claim 1, Yoshimura discloses a method of processing a stream of data, comprising:

receiving a stream of data, the stream of data including a plurality of encoded symbols (fig.1, element 3b receives a stream of data to be viewed at element 2);

contemporaneously processing a first subset of the encoded symbols to identify a second subset of the encoded symbols, where each encoded symbol in the second subset uses a common coding context (fig.3, the data from a stream of video data is received, wherein the stream of video data comprises a plurality of frames, a group of frames comprises a plurality of frames, where the frames are encoded with subsets of encoded symbols);

evaluating at least one symbol from the second subset of encoded symbols to determine the common coding context for the second subset (fig.3, note the a1, b1 are the "IMPORTANT PACKET" data, and the "OTHER PACKET EXCLUDING IMPORTANT PACKET" data); and

using the common coding context to process the second subset of encoded symbols (fig.3 and 10, the use of binary code is the common context used to process the encoded symbols).

Regarding claim 2, Yoshimura discloses wherein processing the second subset of encoded symbols comprises decoding the stream of data (fig.3, note at 3b, the data is decoded).

Regarding claims 3-4, Yoshimura discloses wherein the data stream includes encoded video data (fig.3, note video frames A, B and C).

Regarding claims 5-6, Yoshimura H.264 or MPEG-4 standard encoding scheme (col.11, ln.37).

Regarding claim 7, Yoshimura discloses a method of processing a stream of data, comprising:

receiving a stream of data, the stream of data comprising a plurality of symbols to be processed (fig.1, element 3b receives a stream of data to be viewed at element 2);

contemporaneously processing a first subset of the symbols to identify a second subset of the symbols, where each symbol in the second subset uses a common coding context (fig.3, the data from a stream of video data is received, wherein the stream of video data comprises a plurality of frames, a group of frames comprises a plurality of frames, where the frames are encoded with subsets of encoded symbols);

evaluating at least one symbol from the second subset of symbols to determine the common coding context (fig.3, note the a1, b1 are the "IMPORTANT PACKET" data, and the "OTHER PACKET EXCLUDING IMPORTANT PACKET" data); and

using the common coding context to process the second subset of symbols (fig.3 and 10, the use of binary code is the common context used to process the encoded symbols).

Regarding claim 8, Yoshimura discloses wherein the processing of the second subset of symbols includes encoding the stream of data (fig.3, note at 3a, the data is encoded).

Regarding claims 9-10, Yoshimura discloses wherein the stream of data includes video data (fig.3, note video frames A, B and C).

Regarding claims 11-12, Yoshimura H.264 or MPEG-4 standard encoding scheme (col.11, ln.37).

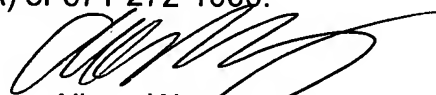
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***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Wong whose telephone number is (571) 272-7341. The examiner can normally be reached on Mondays to Thursdays from 8am-6pm Flextime.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James J. Groody can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Allen Wong  
Primary Examiner  
Art Unit 2621

AW  
4/16/07